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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,788	07/22/2003	Tony Reno	03-015-TR	7499
MELISSA PAT	7590 12/29/2006 ΓANGIA, ESQ.		EXAMINER	
LAMBERT &	ASSOCIATES		MATHEW, FENN C	
92 STATE STREET BOSTON, MA 02109			ART UNIT	PAPER NUMBER
			3764	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
2 MONTUS		12/20/2006	DADED	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	NT				
	Application No.	Applicant(s)			
	10/624,788	RENO, TONY			
Office Action Summary	Examiner	Art Unit			
·	Fenn C. Mathew	3764			
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet w	ith the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perions for reply within the set or extended period for reply will, by star Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNI 1.136(a). In no event, however, may a od will apply and will expire SIX (6) MOI tute, cause the application to become A	CATION. reply be timely filed NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 29	September 2006.				
2a) ☐ This action is FINAL . 2b) ☑ T	This action is FINAL . 2b)⊠ This action is non-final.				
3) Since this application is in condition for allow					
closed in accordance with the practice unde	r Ex parte Quayle, 1935 C.I	D. 11, 453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1,9-13,15,21-25,28-30,33-35 and 3	37-44 is/are pending in the a	pplication.			
4a) Of the above claim(s) is/are withd	rawn from consideration.				
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1, 9-13, 15, 21-25, 28-30, 33-35, a</u>	nd 37-44 is/are rejected.				
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and	d/or election requirement.				
Application Papers					
9) The specification is objected to by the Exam	iner.				
10) The drawing(s) filed on is/are: a) a	ccepted or b) objected to	by the Examiner.			
Applicant may not request that any objection to t					
Replacement drawing sheet(s) including the corr 11) The oath or declaration is objected to by the					
Priority under 35 U.S.C. § 119		•			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the papplication from the International Bure* * See the attached detailed Office action for a light specified.	ents have been received. ents have been received in a riority documents have been eau (PCT Rule 17.2(a)).	Application No n received in this National Stage			
Attachment(s) 1) Notice of References Cited (PTO-892)	4) ☐ Interview	Summary (PTO-413)			
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No	(s)/Mail Date			
Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	5) Notice of 6) Other:	Informal Patent Application			

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/10/2006 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 9-13, 15, 21-25, 28-30, 33-35, and 37-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant has claimed that the user engageable member is immovable by a muscular force. Examiner notes that this would seemingly correlate to the embodiment of figure 2, as the embodiment of figure 1 is connected to a chain which would allow some degree of movement by muscular force.

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Applicant has also claimed a means for removably connecting the first and second end of the user engageable member, which seems to correlate to the embodiment of figure

1. It appears that features of the embodiments have been combined into an invention not disclosed in the specification. Appropriate correction is required.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 9-13, 15, 21-25, 28-30, 33-35, and 37-44 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C. Mathew whose telephone number is (571) 272-4978. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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F.C. Mathew

December 21, 2006